



PATENT  
ATTORNEY DOCKET NO. 50026/022002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Munehide Kano et al.      Art Unit: 1632  
Serial No.: 09/823,699      Examiner: Qian J. Li  
Filed: March 30, 2001      Customer No.: 21559  
Title: AIDS VIRUS VACCINES USING SENDAI VIRUS VECTOR

U.S. Patent and Trademark Office  
220 20<sup>th</sup> Street S  
Customer Window  
Crystal Plaza Two, Lobby  
Room 1B03  
Arlington, Virginia 22202

PETITION UNDER 37 C.F.R. § 1.59 ACCOMPANYING THE TRANSMITTAL  
LETTER FOR SUBMISSION UNDER M.P.E.P. § 724

Applicants hereby petition the Office, under 37 C.F.R. § 1.59, that if the Examiner finds the document submitted with the concurrently filed Transmittal Letter for Submission Under M.P.E.P. § 724 not to be important in deciding whether to allow the present application to issue as a patent, to expunge the document and return the copy submitted with the Transmittal Letter in the labeled envelope.

As required under 37 C.F.R. § 1.59, Applicants authorize the Office to charge \$130.00 to Deposit Account No. 03-2095 for the fee set forth in 37 C.F.R. § 1.17(h).

If there are any other charges or any credits, please apply them to Deposit Account

No. 03-2095.

Respectfully submitted,

Date: 30 July 2004

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PETITION UNDER 37 C.F.R. § 1.59

Pursuant and in addition to Applicants' request of August 21, 2003 to expunge documents submitted with the Information Disclosure Statement ("IDS") filed on July 31, 2003, Applicants hereby petition to have the Office expunge and return the documents indicated on the enclosed marked-up copy of the Form PTO-1449 submitted with the IDS filed on July 31, 2003. The expunged documents are unpublished and contain proprietary information. In addition, Applicants request that the Office redact the Form PTO-1449 submitted with the July 31, 2003 IDS to remove reference to the expunged documents. Alternatively, if the Office does not redact this information, Applicants request that the Form PTO-1449 submitted with the July 31, 2003 IDS be replaced with the revised Form PTO-1449 submitted herewith, which no longer cites the expunged documents. Further, Applicants, in the accompanying Transmittal Letter, re-submit an expunged document as

proprietary material for consideration in accordance with M.P.E.P. § 724.

As required under 37 C.F.R. § 1.59, Applicants authorize the Office to charge \$130.00 to Deposit Account No. 03-2095 for the fee set forth in 37 C.F.R. § 1.17(h).

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